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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,716	01/21/2004	Boris A. Shoykhet	97AB027-B	3717

7590 06/10/2005

Rockwell Automation, Inc.
Attention: Susan M. Donahue
Patent Dept./704P
1201 South Second Street
Milwaukee, WI 53204

EXAMINER

LAM, THANH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,716

Applicant(s)

SHOYKHET, BORIS A. 

Examiner

Thanh Lam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 7-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Species A, claims 7-30, in the reply filed on 4/7/05 is acknowledged. The traversal is on the ground(s) that the bonding areas are configured to remove singularity points, and both embodiments are subject to similar geometrical constraints. This is not found persuasive because the both embodiments are clearly different in joint assembly structure so that the embodiments have a separate status.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7-10,13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Guzman et al.

Guzman et al. disclose a motor comprising: a stator (10) assembly forming a cavity (31); and a rotor assembly (36) operatively mounted for rotation within the cavity, the rotor assembly having a rotatable joint assembly (39) connecting members bonded to one another and of formed of dissimilar materials (see paragraphs 6-8).

Regarding claim 8, Guzman et al. disclose the materials are bonded with an adhesive.

Regarding claim 9, Guzman et al. disclose the joint assembly has securing surfaces that are configured to essentially eliminate singularity points along a joint of the joint assembly.

Regarding claim 10, Guzman et al. disclose one of said members is exposed to a first temperature and another of said members is exposed to a second temperature different from the first temperature, the dissimilar materials and joint assembly providing thermal insulation between the first and second temperatures.

Regarding claim 13, Guzman et al. disclose the rotor assembly has a second joint assembly of similar construction to the joint assembly, the joint assembly and second joint assembly being position on opposite ends of the rotor assembly.

Regarding claim 14, Guzman et al. disclose one of the materials is a thermal insulator and the other material is a metal.

Regarding claim 15, Guzman et al. disclose one of the members is formed of a composite material and is adhesively bonded to the other member.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-12, 16, 17-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior art (figure 1 of the application) hereinafter `PA in view of Guzman et al. (3,914,631).

PA disclose all the aspect of the claimed invention except for following:

Regarding claims 17, Guzman et al. discloses the rotor assembly including a bonded joint assembly co-axially connecting members formed of dissimilar materials (35 and 39 are different materials), one of said members exposed to a first temperature (35 is a ceramic absorb expose a different temperature), another of said members exposed to a second temperature (39 exposed different temperature) different from the first temperature which has been cooled.

Regarding claim 26, Guzman et al. discloses the rotor having a shaft end (35), the shaft end including a bonded joint assembly (35,39 and see abstract) providing thermal isolation for the windings.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the rotor assembly of `PA and accommodate the joint assembly as taught by Guzman et al. in order to improve the strength of the joint assembly.

Regarding claims 11-12,16,18-25,27-30, it noted that the proposal in combination of `PA and Guzman et al. disclose all the aspect of the claimed invention.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (571) 272-2026. The examiner can normally be reached on t-f 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on (571) 272-2044. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thanh Lam
Primary Examiner
Art Unit 2834
